

Remarks

Claims 1-21 are pending in the application. Claims 1-6, 11-14 and 19-21 are rejected under 35 USC 102(b) as being anticipated by Haber et al. (US 6,185,536), hereafter “Haber.” Claims 7-10 and 15-18 are rejected under 35 USC 103(a) as being unpatentable over Haber in view of Sorensen et al. (US 6,810,116), hereafter Sorensen. Applicants have herein amended claims 1-3, 7, 11, 13-15, 19 and 21. No new matter is believed added.

Applicants respectfully submit that all claims are allowable over the cited art. For instance, claim 1, and similarly claims 11 and 19, recite a comparison system that “generates a comparison result in the form of a probability score.” Claim 1 further recites periodically analyzing “a plurality of probability scores,” which can for instance allow the control system to terminate the telephone call if “an average of the plurality of probability scores is less than a predetermined threshold.” (Claim 3). Haber fails to teach or suggest the use of probability scores to determine if a call should be terminated. Accordingly, Applicants submit that independent claims 1, 11, and 19 are allowable over Haber. Dependent claims 2, 3, 13, 14 and 21 provide further features regarding the implementation of probability scores, and thus contain subject matter that is further distinguishable over Haber.

With regard to independent claim 7 (and similarly claim 15), Applicants recite “a control system that controls user access to the conference call based on comparison results of inputted voice samples *collected by a sampling system at the centralized location* with the authentic voice samples.” Haber explicitly teaches collecting voice samples at the individual communication units (CUs), and not a centralized location, as

for example shown by Applicants in Figure 1. (See, e.g., column 4, lines 20-30.) In every embodiment disclosed by Haber, “the CU collects the user-specific voice sound ... and then samples the speech ...” (e.g., see column 8 lines 9-14). Because each communication unit is handling the sampling process, Haber explicitly teaches away from the concept of a conference call application in which a centralized location includes a sampling system for collected voice samples from a plurality of users. Accordingly, combining Haber with Sorensen is clearly improper, since Haber (remote sampling) teaches away from Sorensen (centralized sampling).

“To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.” MPEP 706.02(j). In this case, because the references take completely different approaches to sampling, there is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the Haber reference or to combine the references. Moreover, because two opposed sampling approaches are taught by the two references, there could be no reasonable expectation of success.

Applicants respectfully submit that the application is in condition for allowance. If the Examiner believes that anything further is necessary to place the application in condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



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